

“Celebrating 98 Years of Flood Management”

CENTRAL VALLEY FLOOD PROTECTION BOARD

The Resources Agency – State of California
3310 El Camino Avenue, Room LL40
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BOARD MEMBERS

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Butch Hodgkins, Vice-President
Lady Bug Doherty, Secretary
Teri Rie, Member
John Brown, Member
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Gary Hester, Chief Engineer
Dan Fua, Supervising Engineer
Eric Butler, Senior Engineer
Virginia Cahill, Legal Counsel
Lorraine Pendlebury, Staff Analyst
Jill Phinney, Support Staff

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

January 16, 2009 – 8:30 AM
1416 Ninth Street, Auditorium, First Floor
Sacramento, CA 95814

NOTE: THE BOARD WILL CONSIDER TIMED ITEMS AS CLOSE AS POSSIBLE TO THE LISTED TIME, BUT NOT BEFORE THE TIME SPECIFIED. UNTIMED ITEMS MAY BE HEARD IN ANY ORDER

- 1. ROLL CALL**
- 2.* APPROVAL OF MINUTES** – Sept. 18, 2008 Tour & Nov. 21, 2008 Board Meeting
- 3.* APPROVAL OF AGENDA**
- 4. PUBLIC COMMENTS**
- 5. REPORT OF ACTIVITIES OF THE DEPARTMENT OF WATER RESOURCES**
(George Qualley)
- 6. THREE RIVERS LEVEE IMPROVEMENT AUTHORITY MONTHLY REPORT**
(Paul Brunner)

***action item**

Anyone may upon request obtain a copy of background or other material on an agenda item that has been distributed to the Members of the Board. A fee covering the cost of the provision of such materials may be charged.

If you need reasonable accommodations due to a disability, or need language assistance, please contact the Equal Opportunity Management Investigations Office at (916) 653-6952, or TDD (916) 653-6934 at least a week prior to the meeting.

7.* **CONSENT CALENDAR**

A. Permit No. 18266, Vicki Pfingst *(Board Staff)*

Consider approval of Permit No. 18266 to authorize existing boat dock supported by two steel pilings, attached to a steel gangway, attached to a concrete pier on the left (east) bank levee of the Sacramento River. (Sacramento County)

B. Permit No. 18270, Timothy Gergen *(Board Staff)*

Consider approval of Permit No. 18270 to replace existing wooden stairs with concrete stairs on the landside slope of the left (east) bank levee of the Sacramento River. (Sacramento County)

C. Permit No. 18294, Sean Hutton *(Board Staff)*

Consider approval of Permit No. 18294 to construct a boat dock, supported by steel piles, attached to gangway, supported by concrete piers, attached to existing concrete deadman on left (east) bank levee of the Sacramento River. (Sacramento County).

D. Permit No. 18306, Gilbert Gonzales *(Board Staff)*

Consider approval of Permit No. 18306 to authorize existing boat dock, supported by steel piles, attached to gangway, on left (east) bank levee of the Sacramento River. (Sacramento County)

E. Permit No. 18357, William Koenig *(Board Staff)*

Consider approval of Permit No. 18357 to authorize existing boat dock, supported by steel pilings, attached to a debris diverter and a gangway on the left (east) bank levee of the Sacramento River. (Sacramento County)

F. Permit No. 18378, Reclamation District 341 *(Board Staff)*

Consider approval of Permit No. 18378 to clear and grub approximately 5,500-linear-feet of vegetation on the landside slope of the left (east) bank levee of the Sacramento River. (Sacramento County)

8.* **HEARING AND DECISIONS**

None.

- Items on the Consent Calendar may be removed at the request of any Board member or person.

REQUESTED ACTIONS

9.* CACHE CREEK CRITICAL EROSION SITE (LM 3.9L AND LM 4.2L) NORTH LEVEE SETBACK PROJECT EMINENT DOMAIN FOR EASEMENTS (Dave Wheeldon, Kip Young, and Paul Farris) – 9:45 AM

1. Consider approval of Resolution 09-01 to adopt findings, mitigation measures, and mitigated negative declaration for the project.
2. Consider approval of Resolution 08-23 to authorize the Resolution of Necessity to commence the eminent domain proceeding to acquire a levee and flood control easement over APN 027-170-39-1, Board Parcel No. 13668, owned by Margrit Boyd, Trustee of the Survivor's Trust under the Steven and Margrit Boyd Family Revocable Trust.
3. Consider approval of Resolution 08-24 to authorize the Resolution of Necessity to commence the eminent domain proceeding to acquire a levee and flood control easement over APN 027-170-02-1, Board Parcel No. 13669, owned by Margrit Boyd.
4. Consider approval of Resolution 08-25 to authorize the Resolution of Necessity to commence the eminent domain proceeding to acquire a levee and flood control easement and a utility easement over APN 027-160-05-1, Board Parcel No. 13672, owned by Klein Farms, Incorporated, A California Corporation.
5. Consider approval of Resolution 08-26 to authorize the Resolution of Necessity to commence the eminent domain proceeding to acquire a levee and flood control easement and a utility easement over APN 027-160-06-1, Board Parcel No. 13673, owned by John C. Klein and Catherine L. Klein, husband and wife as tenants in common.

10.* ESTABLISHMENT OF TWO CENTRAL VALLEY FLOOD PROTECTION BOARD SUB-COMMITTEES – 10:45 AM

1. Consider establishing a sub-committee to develop policy regarding indemnification requirements for joint power authorities (*Virginia Cahill*)
2. Consider establishing a sub-committee to review proposed "Tier 2" amendments to Title 23 of the California Code of Regulations (*Dan Fua and Nancy Finch*)

11.* BOARD SPONSORED PROJECTS AND STUDY AGREEMENTS

WEST SACRAMENTO PROJECT (Chris Scobba) – 11:30 AM

Consider Resolution 08-21 to approve:

1. A Feasibility Cost Share Agreement (FCSA) among the Department of the Army, the
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Central Valley Flood Protection Board (Board), and the West Sacramento Area Flood Control Agency (WSAFCA) for a General Reevaluation Report (Study), which includes a Project Management Plan report that outlines and defines major tasks, task management, schedule, and estimated costs for the Study.

2. A Local Feasibility Cost Share Agreement (LFCSA) between the Board and the WSAFCA to carry out the non-Federal sponsors' responsibilities under the FCSA for the Study.

BREAK FOR LUNCH

INFORMATIONAL BRIEFINGS

12. BRIEFING BY THE U.S. ARMY CORPS OF ENGINEERS (*Kip Young and Michael Dietl*) – 1:00 PM

A briefing to the Board regarding the Sacramento River Bank Protection Project Phase II Supplemental Authorization of Additional 80,000 Linear Feet (WRDA 2007)

BOARD REPORTS

13. BOARD COMMENTS AND TASK LEADER REPORTS

14. REPORT OF ACTIVITIES OF THE EXECUTIVE OFFICER

15. FUTURE AGENDA

16. CLOSED SESSION

- Discuss litigation (Valley View Packing Company, et al. v. Sacramento and San Joaquin Drainage Dist., et al.; Yuba County Superior Court No. YCSCCVCV 0700001013) pursuant to Government Code section 11126 (e)(1)
(*John Feser, Deputy Attorney General*)
- Discuss litigation pursuant to Government Code section 11126 (e) (1) in the following cases: (*Michael Crow, Deputy Attorney General*)

Sacramento Area Flood Control Agency v. Christine Binford DeYoung, Central Valley Flood Protection Board, et al. (Sacramento Superior Court No. 34-2008-0000-7953).

Sacramento Area Flood Control Agency v. Horganic Family LLC, Central Valley Flood Protection Board, et al. (Sacramento Superior Court No. 34-2008-0000-2961).

Sacramento Area Flood Control Agency v. Burton H. Lauppe, Central Valley Flood Protection Board, et al. (Sutter Superior Court No. CVCS 08-0879).

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Sacramento Area Flood Control Agency v. Odysseus Farms, Central Valley Flood Protection Board, et al. (Sutter Superior Court No.CVCS 08-0878).

Sacramento Area Flood Control Agency v. William Cummings, Central Valley Flood Protection Board, et al. (Sutter Superior Court No. CVCS 08-0877).

Sacramento Area Flood Control Agency v. Paul Lausevic, Central Valley Flood Protection Board, et al. (Sutter Superior Court No. CVCS 08-0876).

17. ADJOURN

For further information about items on this agenda, please contact Lorraine Pendlebury, 3310 El Camino Ave., Room LL40, Sacramento, CA 95821, lpendleb@water.ca.gov, or (916) 574-0609.

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